

Jefferson.
Rollins.
Sullivant.

Tennyson.
Walker.
Young.

Present—Not Voting

Glass.

Absent

Cathey.	Lemens.
Coombes.	Leonard.
Cowley.	Lindsey.
Duvall.	Long.
Dwyer.	Mackay.
Fisher.	Mathis.
Ford.	McDougald.
Graves.	McKee.
Greathouse.	Merritt.
Griffith.	Pavlica.
Head.	Pope.
Hester.	Ramsey.
Hicks.	Reed of Bowie.
Holloway.	Rogers of Hunt.
Johnson	Tillery.
of Anderson.	Turlington.
Jones of Atascosa.	Vaughan.
Kyle of Palo Pinto.	Weinert.
Laird.	West.
Latham.	

Absent—Excused

Bradley.	Johnson
Caven.	of Dimmit.
Jackson.	Munson.

At 9 o'clock p. m., Mr. Savage moved that the Committee rise and report progress.

The motion prevailed.

(Signed) J. C. DUVALL,
Chairman of the Committee of the
Whole House.

On motion of Mr. Anderson of Bexar, the House adopted the report of the Committee of the Whole House.

BILL ORDERED NOT PRINTED

On motion of Mr. Chastain, House Bill No. 773 was ordered not printed.

ADJOURNMENT

Mr. McDougald moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Morse moved that the House adjourn until 9:30 o'clock a. m., Saturday.

Mr. Dunagan moved that the House adjourn until 10 o'clock a. m., next Monday.

The motion of Mr. Morse prevailed, and the House, accordingly, at 9:20 o'clock p. m., adjourned until 9:30 o'clock a. m., Saturday, March 4.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Education: House Bills Nos. 503, 562, and 715.

Penitentiaries: House Bill No. 476.

Appropriations: House Bill No. 167.

Conservation and Reclamation: House Bill No. 413.

Military Affairs: House Bills Nos. 513 and 517.

Revenue and Taxation: House Bill No. 142.

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

Committee Room,
Austin, Texas, March 3, 1933.

Hon. J. C. Duvall, Acting Speaker of the House of Representatives.

Sir: We, your Committee of the Whole House, to whom was referred

H. B. No. 773,

Has had same under consideration, and begs to report back with recommendation that it do pass, and be printed.

DUVALL, Chairman.

THIRTIETH DAY

(Saturday, March 4, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Camp.
Adamson.	Canon.
Aikin.	Cathey.
Alexander.	Chastain.
Alsup.	Clayton.
Anderson	Colson.
of Bexar.	Cowley.
Anderson	Crossley.
of Johnson.	Daniel.
Baker.	Davidson.
Barrett.	Dean.
Barron.	Devall.
Beck.	Dunlap.
Bedford.	Dunagan.
Bourne.	Engelhard.
Burns.	Fain.
Butler.	Few.
Calvert.	Fisher.

Fuchs.	Metcalf.
Glass.	Mitcham.
Golson.	Moffett.
Good.	Moore.
Goodman.	Morrison.
Graves.	Morse.
Greathouse.	Nicholson.
Griffith.	Palmer.
Haag.	Parkhouse.
Hankamer.	Patterson.
Harman.	Puryear.
Harris.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hicks.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Hill of Webb.	Renfro.
Hodges.	Riddle.
Holekamp.	Roberts.
Holland.	Rogers of Ochiltree.
Holloway.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hunt.	Scarborough.
Hyder.	Scott.
James.	Shannon.
Jefferson.	Shults.
Johnson.	Smith.
of Anderson.	Stanfield.
Jones of Atascosa.	Steward.
Jones of Runnels.	Stinson.
Jones of Shelby.	Stovall.
Kayton.	Sullivant.
Kyle of Hays.	Tarwater.
Kyle of Palo Pinto.	Tennyson.
Laird.	Thomas.
Latham.	Townsend.
Lemens.	Turlington.
Leonard.	Van Zandt.
Lindsey.	Vaughan.
Long.	Wagstaff.
Lotief.	Walker.
Magee.	Weinert.
Mathis.	Wells.
McClain.	Winningham.
McCullough.	Wood.
McDougald.	Young.
McGregor.	

Absent

Duvall.	McKee.
Dwyer.	West.
Mackay.	

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Ford for today, on motion of Mr. Head.

Mr. Tillery for today, on motion of Mr. Glass.

Mr. Caven for today, on motion of Mr. Beck.

Mr. Munson for today, on motion of Mr. Fain.

Mr. Merritt and Mr. Jackson for yesterday and today, on motion of Mr. Laird.

Mr. Pope for today, on motion of Mr. Davidson.

Mr. Pavlica for today, on motion of Mr. Devall.

Mr. Hester for today, on motion of Mr. Graves.

Mr. Coombes for today, on motion of Mr. Good.

Mr. Rogers of Hunt for today on account of the illness of his wife, on motion of Mr. Savage.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Butler:

H. B. No. 774, A bill to be entitled "An Act to provide for the assessment and collection of ad valorem taxes on property belonging to Joint Stock Land Banks located in this State; providing for the levying and collecting of ad valorem taxes on the shares of stock of Joint Stock Land Banks located in this State; providing for the levying and collecting of ad valorem taxes on stocks, bonds, and other property belonging to Joint Stock Land Banks located in this State; providing for the manner of assessing such properties for taxation purposes, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Stanfield:

H. B. No. 775, A bill to be entitled "An Act to amend Article 199, Title 8, of the Revised Civil Statutes of 1925, Subdivision 47, as amended by Chapter 7, Acts of the Fortieth Legislature, 1927, by amending Sections 4, 5, and 6, of Chapter 7, Acts of the For-

tieth Legislature, page 10, and providing for the restoration of jurisdiction of civil business to the District Court of the Forty-seventh Judicial District, in Potter County, providing for the perpetuation of said Forty-seventh District Court, and clothing said District Court with general jurisdiction of district courts in all of the counties comprising said Judicial District; providing for the continuance in office of the Judge of the One Hundred and Eighth District Court, and the Judge and District Attorney of the said Forty-seventh District Court, during the term for which elected; providing for a clerk and court reporter to handle civil business in said Court, in Potter County; for transfer of civil business by the respective Judges of said Courts; to continue in effect writs, process, bonds, recognizances, orders, decrees, and judgments; fixing the time of taking effect of this Act; repealing laws in conflict therewith; and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Jefferson (by request):

H. B. No. 776, A bill to be entitled "An Act to amend Section 5 of Senate Bill No. 30, Chapter 66, page 212, of the Acts of the Fifth Called Session of the Forty-first Legislature of the State of Texas, 1930; also known as Section 5, of Article 2774-a; of the Revised Civil Statutes of Texas." (Relating to election of school trustees in certain independent school districts.)

Referred to Committee on Education.

By Mr. McGregor, Mrs. Hughes, and Mr. Metcalfe:

H. B. No. 777, A bill to be entitled "An Act to stay all sales under execution, order of sale, or under any deed of trust, mortgage, or other contract, giving or granting any power of sale of real, personal, or mixed property for debt, now advertised, to be made on March 7, 1933, for a period of four weeks from said date, providing that no other or further advertisement of notice of any such sale than that lawfully given for sale on March 7, 1933, shall be required for such sale on April 4, 1933, making void all sales in violation of this Act; extending the time for return, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Long, Mr. Latham, Mr. Holloway, Mr. Dunagan, Mr. Renfro, Mr. Turlington, Mr. Stanfield, Mr. Wagstaff, Mr. Tennyson, and Mr. Anderson of Bexar:

H. B. No. 778, A bill to be entitled "An Act making it unlawful for any railroad, or pipe line common carrier, or truck line common carrier to accept for shipment any crude petroleum, without requiring the furnishing by the shipper of evidence, as defined in this Act, that such crude petroleum was not produced in excess of the amount allowed to be produced under any rule, regulation, or order of the Railroad Commission of Texas; prescribing penalties for the violation of this Act, and authorizing suit to be brought for recovery of same; authorizing suits for injunction to restrain threatened violations of this Act; and declaring an emergency."

Referred to Committee on Oil, Gas, and Mining.

By Mr. Rogers of Ochiltree:

H. B. No. 779, A bill to be entitled "An Act to provide for the repurchase of land set apart to build the Capitol that has been recovered by the State and appropriated to the Public Free School Fund, and heretofore purchased from the State, and forfeited, or that should be forfeited for non-payment of interest accrued prior to November 1, 1932, the owner of such land or part thereof at the date of forfeiture shall have a preference right for a period of ninety (90) days after the date of notice of revaluation of such land to repurchase the same upon the terms and conditions provided in Chapter 94, page 267, Acts of 1925, as amended by the Act of 1926, Thirty-ninth Legislature, First Called Session, page 43, Chapter 25; and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

BILL ORDERED NOT PRINTED

On motion of Mr. Haag, House Bill No. 413 was ordered not printed.

RELATIVE TO THE CONSIDERATION OF RESOLUTIONS

On motion of Mr. Harman, the House, by unanimous consent, agreed to dispense with the consideration of resolutions at this time.

HOUSE BILL NO. 773 ON SECOND
READING

On motion of Mr. Kayton, by unanimous consent of the House, the Twenty-four-hour House Rule, relative to printed bills, was suspended for the purpose of considering, at this time,

H. B. No. 773, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be, and he is hereby, authorized and empowered to declare financial moratoria for, and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of, deposits from all State banks, National banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoria and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing penalties for violations, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Hill of Brazoria offered the following amendment to the bill:

Amend House Bill No. 773, as follows: By adding, after the word "deposit," wherever it occurs in Section 1, the following: "or stock liabilities in building and loan associations."

HILL of Brazoria.
LEMENS.

Mr. Jones of Atascosa moved the previous question on the pending amendment and the bill, and the motion was not seconded.

Question recurring on the amendment by Mr. Hill of Brazoria, it was lost.

Mr. Wagstaff offered the following amendment to the bill:

Amend House Bill 773 by striking out the words "a uniform limitation withdrawal," and substitute "limitation withdrawals."

Mr. Rogers of Ochiltree offered the following substitute amendment for the amendment by Mr. Wagstaff:

Insert after the word "uniform," in Section 1, the following: "as between banks and institutions within the area of the same clearing house association and/or trade area."

On motion of Mr. McGregor, the substitute amendment was tabled.

On motion of Mr. McGregor, the amendment by Mr. Wagstaff was tabled.

Mr. McKee offered the following amendment to the bill:

Amend House Bill No. 773, Section 1, by adding thereto the following:

"That this Act shall not apply to pay roll checks dated before final passage of this Act, and all banks of this State are authorized to pay said checks in full."

On motion of Mr. Kayton, the amendment was tabled.

Mr. Nicholson moved the previous question on the pending amendments on the Speaker's desk and the bill, and the motion was duly seconded.

Question recurring on the motion for the previous question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—73

Alsup.	Hyder.
Anderson	James.
of Bexar.	Johnson
Anderson	of Anderson.
of Johnson.	Jones of Atascosa.
Barron.	Jones of Shelby.
Bedford.	Kayton.
Camp.	Kyle of Hays.
Canon.	Latham.
Cathey.	Leonard.
Chastain.	Long.
Cowley.	Lotief.
Devall.	Mathis.
Dunagan.	McClain.
Fain.	McGregor.
Few.	Mitcham.
Fisher.	Moore.
Fuchs.	Morse.
Glass.	Nicholson.
Golson.	Patterson.
Goodman.	Puryear.
Haag.	Ramsey.
Hankamer.	Ray.
Harrison.	Reader.
Head.	Renfro.
Hicks.	Riddle.
Hill of Brazoria.	Ross.
Hill of Webb.	Russell.
Holland.	Savage.

Scarborough.
Scott.
Shannon.
Shults.
Smith.
Stanfield.
Steward.
Stinson.
Stovall.

Tarwater.
Tennyson.
Thomas.
Townsend.
Turlington.
Wagstaff.
Walker.
Weinert.
Wells.

Nays—52

Adamson.
Aikin.
Alexander.
Baker.
Barrett.
Beck.
Bourne.
Burns.
Butler.
Calvert.
Colson.
Crossley.
Daniel.
Davidson.
Dean.
Dunlap.
Engelhard.
Good.
Greathouse.
Griffith.
Harris.
Hartzog.
Hodges.
Hoskins.
Huddleston.
Hughes.
Hunt.

Jefferson.
Jones of Runnels.
Kyle of Palo Pinto.
Laird.
Lemens.
Lindsey.
Magee.
McCullough.
McDougald.
Metcalf.
Moffett.
Morrison.
Palmer.
Parkhouse.
Ratliff.
Reed of Bowie.
Reed of Dallas.
Rogers
of Ochiltree.
Rollins.
Sullivant.
Van Zandt.
Vaughan.
Winningham.
Wood.
Young.

Absent

Clayton.
Duvall.
Dwyer.
Graves.
Harman.
Holekamp.

Holloway.
Mackay.
McKee.
Roberts.
West.

Absent—Excused

Bradley.
Caven.
Coombes.
Ford.
Hester.
Jackson.
Johnson
of Dimmit.

Merritt.
Munson.
Pavlica.
Pope.
Rogers of Hunt.
Tillery.

Mr. Greathouse offered the following amendment to the bill:

Amend House Bill No. 773, by adding a section thereto, to be known as Section 3, and renumber the sections to conform to the body of the bill:

"Section 3. Be it further enacted by the Legislature of the State of Texas that during the time that any financial moratorium or withdrawal limitation upon deposits in any bank in this State shall remain in force and effect under the provisions of this Act that no court in this State shall render or enter any judgment against any citizen of this State in an amount in excess of the amount to which such withdrawals shall be limited under any of the terms or provisions or by authority of this Act."

BURNS,
DANIEL,
SCARBOROUGH,
GREATHOUSE,
TARWATER,
STANFIELD,
POPE.

Mr. Daniel moved that the Rule, relative to the order of procedure under the previous question, be suspended, for the purpose of voting on each amendment as it is laid before the House.

The motion prevailed.

Question recurring on the amendment by Mr. Greathouse, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—26

Baker.	Morrison.
Bourne.	Palmer.
Burns.	Puryear.
Daniel.	Reed of Bowie.
Davidson.	Rogers
Greathouse.	of Ochiltree.
Harris.	Rollins.
Hartzog.	Scarborough.
Jefferson.	Stanfield.
Jones of Atascosa.	Sullivant.
Jones of Runnels.	Tarwater.
Kyle of Palo Pinto.	Walker.
Metcalf.	Wood.
Mitcham.	

Nays—90

Adamson.	Butler.
Aikin.	Calvert.
Alexander.	Camp.
Alsup.	Canon.
Anderson	Cathey.
of Bexar.	Chastain.
Anderson	Clayton.
of Johnson.	Cowley.
Barrett.	Crossley.
Bedford.	Dean.

Devall.	Mathis.
Dunagan.	McClain.
Fain.	McCullough.
Fisher.	McDougald.
Fuchs.	McGregor.
Glass.	Moffett.
Golson.	Morse.
Good.	Parkhouse.
Goodman.	Patterson.
Graves.	Ramsey.
Griffith.	Ratliff.
Haag.	Ray.
Hankamer.	Reader.
Harrison.	Reed of Dallas.
Head.	Renfro.
Hicks.	Riddle.
Hill of Brazoria.	Roberts.
Holekamp.	Ross.
Holland.	Russell.
Hoskins.	Savage.
Huddleston.	Shannon.
Hughes.	Shults.
Hunt.	Smith.
Hyder.	Steward.
James.	Stinson.
Johnson	Stovall.
of Anderson.	Thomas.
Jones of Shelby.	Townsend.
Kayton.	Turlington.
Kyle of Hays.	Van Zandt.
Laird.	Vaughan.
Latham.	Wagstaff.
Lemens.	Weinert.
Leonard.	Wells.
Lindsey.	Winningham.
Lotief.	Young.
Magee.	

Present—Not Voting

Colson.

Absent

Barron.	Holloway.
Beck.	Long.
Dunlap.	Mackay.
Duvall.	McKee.
Dwyer.	Moore.
Engelhard.	Nicholson.
Few.	Scott.
Harman.	Tennyson.
Hill of Webb.	West.
Hodges.	

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 773, by striking out lines 1 and 2, in Section 1, and the words "he is," in line 3, of Section 1, and substitute therefor the following: "That a special committee of three members is hereby created, to be composed of the Banking Commissioner of the State of Texas, one member to be appointed by the President of the Senate, one member to be appointed by the Speaker of the House of Representatives, which committee, with the approval of the Governor, from and after the passage of this Act, be, and they are"

BURNS,
DANIEL.

Mr. Kayton moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Mr. Savage moved a call of the House for the purpose of maintaining a quorum, pending consideration of House Bill No. 773, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Burns, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

Question then recurring on the amendment by Mr. Burns, it was lost.

Mr. Calvert offered the following amendment to the bill:

Amend House Bill No. 773 by changing the word "an," as it appears in the fourth line, Section 1 thereof, so that the same will appear as "and."

The amendment was adopted.

Mr. Graves offered the following amendment to the bill:

Amend House Bill No. 773 by adding after Section 1 the following:

"Either throughout the confines of the whole State, or any political subdivision thereof, or any individual named above."

The amendment was lost.

Mr. Rogers of Ochiltree offered the following amendment to the bill:

Amend House Bill No. 773 by inserting at the end of Section 1 the following: "The terms of this Act shall expire and terminate and no authorization of power contained herein shall extend beyond the 30th day of April, 1933."

The amendment was lost.

Mr. Rogers of Ochiltree offered the following amendment to the bill:

Amend House Bill No. 773 by inserting after the word "Texas," in line 2, Section 1, the following: "and the State Banking Board."

The amendment was lost.

Mr. Sullivant offered the following amendment to the bill:

Amend House Bill No. 773 by adding at the end of Section 1 thereof the following: "Provided, however, that nothing in this Act shall be construed to affect public funds."

SULLIVANT,
ROLLINS,
HUNT,
HYDER,
HARRIS,
WOOD,
ADAMSON,
VAN ZANDT.

The amendment was lost.

Mr. Lindsey offered the following amendment to the bill:

Amend House Bill No. 773, Section 2, by adding to said Section, at the end thereof, the following:

"Provided, however, that the deposits of one bank with another shall be exempt from the operation of this law."

The amendment was lost.

Mr. Daniel offered the following amendment to the bill:

Amend House Bill No. 773 by adding to Section 1 the following: "He may also promulgate rules limiting loans by any of the above-named institutions."

The amendment was lost.

Mr. Daniel offered the following amendment to the bill:

Amend House Bill No. 773, Section 1, line 4, by striking out the word "uniform."

The amendment was lost.

Mr. Kyle of Palo Pinto offered the following amendment to the bill:

Amend House Bill No. 773 by adding the words "now on hand" after "deposits," in Section 1, line 8.

The amendment was lost.

Mr. Scott offered the following amendment to the bill:

Amend House Bill No. 773 by adding to Section 1 the following provisions: "Provided further, that all drafts, checks, bills of exchange, or other orders for the payment of State revenue, bearing the endorsement of the State Treasurer of Texas, shall be honored at all times by the bank upon which such drafts, checks, bills of exchange, or other orders are drawn."

The amendment was lost.

House Bill No. 773 was then passed to engrossment by the following vote:

Yeas—118

Adamson.	Hodges.
Aikin.	Holekamp.
Alexander.	Holland.
Alsup.	Huddleston.
Anderson	Hughes.
of Johnson.	Hyder.
Barrett.	James.
Barron.	Johnson
Beck.	of Anderson.
Bedford.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Burns.	Jones of Shelby.
Butler.	Kayton.
Calvert.	Kyle of Hays.
Camp.	Kyle of Palo Pinto.
Canon.	Laird.
Chastain.	Latham.
Clayton.	Lemens.
Colson.	Leonard.
Cowley.	Lindsey.
Crossley.	Lotief.
Daniel.	Magee.
Davidson.	Mathis.
Dean.	McClain.
Devall.	McGregor.
Dunlap.	Metcalfe.
Dunagan.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Few.	Morrison.
Fisher.	Morse.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Patterson.
Goodman.	Puryear.
Graves.	Ramsey.
Griffith.	Ratliff.
Haag.	Ray.
Hankamer.	Reader.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Harrison.	Renfro.
Head.	Riddle.
Hicks.	Roberts.
Hill of Brazoria.	Rogers
Hill of Webb.	of Ochiltree.

Rollins.	Tarwater.
Ross.	Tennyson.
Russell.	Thomas.
Savage.	Townsend.
Scarborough.	Turlington.
Scott.	Van Zandt.
Shannon.	Wagstaff.
Shults.	Walker.
Smith.	Weinert.
Stanfield.	Wells.
Steward.	Winningham.
Stinson.	Wood.
Stovall.	Young.
Sullivant.	

Nays—5

Hartzog.	McDougald.
Hunt.	Vaughan.
Jefferson.	

Absent

Anderson	Holloway.
of Bexar.	Hoskins.
Baker.	Long.
Cathey.	Mackay.
Duvall.	McCullough.
Dwyer.	McKee.
Greathouse.	West.

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

HOUSE BILL NO. 773 ON THIRD
READING

Mr. Kayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 773 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adamson.	Camp.
Aikin.	Canon.
Alexander.	Cathey.
Alsup.	Chastain.
Anderson	Clayton.
of Johnson.	Colson.
Baker.	Cowley.
Barrett.	Crossley.
Barron.	Daniel.
Beck.	Davidson.
Bedford.	Dean.
Bourne.	Devall.
Butler.	Dunlap.
Calvert.	Dunagan.

Engelhard.	McGregor.
Fain.	Metcalfe.
Few.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Harrison.	Reader.
Head.	Reed of Dallas.
Hicks.	Renfro.
Hill of Webb.	Riddle.
Hodges.	Roberts.
Holekamp.	Rogers
Holland.	of Ochiltree.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hyder.	Scarborough.
James.	Scott.
Johnson	Shannon.
of Anderson.	Shults.
Jones of Atascosa.	Smith.
Jones of Runnels.	Stanfield.
Jones of Shelby.	Steward.
Kayton.	Stinson.
Kyle of Hays.	Stovall.
Kyle of Palo Pinto.	Tarwater.
Laird.	Tennyson.
Latham.	Thomas.
Lemens.	Townsend.
Leonard.	Turlington.
Lindsey.	Van Zandt.
Long.	Wagstaff.
Lotief.	Walker.
Magee.	Weinert.
Mathis.	Wells.
McClain.	Winningham.
McDougald.	Young.

Nays—9

Fisher.	Rollins.
Hartzog.	Sullivant.
Hunt.	Vaughan.
Jefferson.	Wood.
Reed of Bowie.	

Absent

Anderson	Holloway.
of Bexar.	Mackay.
Burns.	McCullough.
Duvall.	McKee.
Dwyer.	West.
Hill of Brazoria.	

Absent—Excused

Bradley.	Coombes.
Caven.	Ford.

Hester.	Munson.
Jackson.	Pavlica.
Johnson	Pope.
of Dimmit.	Rogers of Hunt.
Merritt.	Tillery.

The Speaker then laid House Bill No. 773 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adamson.	Hyder.
Aikin.	James.
Alexander.	Johnson
Alsup.	of Anderson.
Anderson	Jones of Atascosa.
of Johnson.	Jones of Runnels.
Barrett.	Jones of Shelby.
Barron.	Kayton.
Beck.	Kyle of Hays.
Bedford.	Kyle of Palo Pinto.
Bourne.	Laird.
Burns.	Latham.
Butler.	Lemens.
Calvert.	Leonard.
Camp.	Lindsey.
Canon.	Long.
Chastain.	Lotief.
Clayton.	Magee.
Colson.	Mathis.
Cowley.	McClain.
Crossley.	McCullough.
Daniel.	McGregor.
Davidson.	Metcalf.
Dean.	Mitcham.
Devall.	Moffett.
Dunlap.	Moore.
Dunagan.	Morrison.
Engelhard.	Morse.
Fain.	Nicholson.
Few.	Palmer.
Fisher.	Parkhouse.
Fuchs.	Patterson.
Glass.	Purvey.
Golson.	Ramsey.
Goodman.	Ratliff.
Graves.	Ray.
Griffith.	Reader.
Haag.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Riddle.
Harrison.	Roberts.
Head.	Rogers
Hicks.	of Ochiltree.
Hill of Brazoria.	Rollins.
Hill of Webb.	Ross.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Scarborough.
Holloway.	Shannon.
Hoskins.	Shults.
Huddleston.	Smith.
Hughes.	Stanfield.

Steward.	Van Zandt.
Stinson.	Wagstaff.
Stovall.	Walker.
Sullivant.	Weinert.
Tarwater.	Wells.
Tennyson.	Winningham.
Thomas.	Wood.
Townsend.	Young.
Turlington.	

Nays—8

Baker.	Hunt.
Cathey.	Jefferson.
Good.	McDougald.
Hartzog.	Vaughan.

Absent

Anderson	Mackay.
of Bexar.	McKee.
Duvall.	Scott.
Dwyer.	West.
Greathouse.	

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

Mr. Patterson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTES

I vote "no" against House Bill No. 773, for the reason that it makes it mandatory that every bank must close or restrict its deposits upon the order of the Banking Commissioner, regardless of a local bank's desire to stay open and accommodate its patrons. I would have supported the measure had it contained an optional feature.

McDOUGALD.

I opposed and voted against House Bill No. 773 for the following reasons: I am strictly opposed to placing with any individual the dictatorial powers which this bill bestows upon our Banking Commissioner.

I further feel that this bill is the final gesture of the international bankers, who are crucifying the people of our country upon a cross of gold.

JEFFERSON.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 153, "An Act to amend Article 2547, Revised Civil Statutes of Texas, as amended by the Forty-first Legislature, at the Regular Session; and declaring an emergency."

S. B. No. 146, "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law, or county boards of trustees, validating the acts of said county boards of trustees and boards of such districts; validating all proceedings and acts of said board of trustees, heretofore taken by such boards of trustees; validating all bonds voted, authorized, and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exceptions; and declaring an emergency."

S. B. No. 82, "An Act amending Article 348, of the Code of Criminal Procedure, relating to summoning a grand jury; and declaring an emergency."

H. B. No. 60, "An Act to amend Chapter 6, Chapter 26, of the Acts of the Third Called Session of the Forty-second Legislature, relating to the taking of fur-bearing animals in certain counties, and declaring an emergency."

H. B. No. 595, "An Act to regulate fishing in Caddo Lake; repealing all laws or parts of laws in conflict; and declaring an emergency."

H. C. R. No. 41, Relative to the death of the Hon. Thomas J. Walsh.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 4, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 40, A bill to be entitled "An Act to declare a closed season on the killing of blue quail, bob whites, and doves in Yoakum County for a period of five years, prescribing a penalty therefor, and declaring an emergency."

S. B. No. 57, A bill to be entitled "An Act to amend Article 1839, Chapter 3, Title 39, of the Revised Civil Statutes, as amended by the Acts of the Regular Session of the Forty-second Legislature, of the State of Texas, so as to fix the time for filing the transcript in the Court of Civil Appeals, and providing for an extension of such time for cause shown, and declaring an emergency."

S. B. No. 104, A bill to be entitled "An Act making it unlawful to hunt, take, or pursue any wild deer in the County of Galveston, for a period of five years, following the passage of this Act; providing a suitable penalty, repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

S. B. No. 123, A bill to be entitled "An Act repealing Chapter 28, Acts of the Forty-second Legislature, Third Called Session, regulating the taking of fish and shrimp in East Galveston Bay; and declaring an emergency."

S. B. No. 128, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas, of 1925, relating to the administration of the affairs of a corporation; and declaring an emergency."

S. B. No. 165, A bill to be entitled "An Act to amend Article 2008, Chapter 2, Revised Civil Statutes of 1925, by adding thereto that 'should the judgment of the trial court be one overruling the plea of privilege, the party filing such plea of privilege need not appeal from such order in

advance of the trial of such case on the merits, but may assign error or cross-assignment of error on appeal, as to such overruling of the plea, from the judgment, on the merits of such controversy.'"

S. B. No. 201, A bill to be entitled "An Act to authorize Panhandle & Santa Fe Railway Company to purchase, own, and operate the railroad of Clinton-Oklahoma-Western Railroad Company of Texas, with its franchises and appurtenances now and hereafter owned; and the railroad of Kansas City, Mexico & Orient Railway Company of Texas, with its franchises and appurtenances now and hereafter owned; and the railroad of North Plains & Santa Fe Railway Company, with its franchises and appurtenances now and hereafter owned; and until such purchase or purchases is or are made, to authorize lease by the Panhandle & Santa Fe Railway Company of the railroads and other properties of said other companies, or any of them, and declaring an emergency."

S. B. No. 250, A bill to be entitled "An Act amending Article 2789 of the Revised Civil Statutes of Texas, 1925, authorizing the issuance of refunding bonds to refund bonds and matured interest coupons of common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts; and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

MOTION TO TAKE UP HOUSE BILL NO. 163

Mr. Anderson of Bexar moved to suspend the Rule relative to the regular order of business, to take up, for consideration at this time,

H. B. No. 163, A bill to be entitled "An Act amending Article 4682, of the Revised Civil Statutes, by adding thereto Subsection 21, authorizing the Board of Insurance Commissioners to exercise such incidental and implied powers and duties as may be necessary to carry out the purposes and intent of the insurance laws of this

State; and, by adding thereto, Subsection 22, authorizing the Board of Insurance Commissioners to prescribe rules and regulations for carrying out the purposes and intent of the insurance laws of this State; and declaring an emergency."

The motion was lost.

RECESS

Mr. Harman moved that the House recess to 2 o'clock p. m., today.

Mr. Moffett moved that the House recess to 2:30 o'clock p. m., today.

Mr. Savage moved that the House recess to 3 o'clock p. m., today.

The motion of Mr. Harman prevailed, and the House, accordingly, at 1:10 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 40, to the Committee on Game and Fisheries.

Senate Bill No. 57, to the Committee on Judiciary.

Senate Bill No. 104, to the Committee on Game and Fisheries.

Senate Bill No. 123, to the Committee on Game and Fisheries.

Senate Bill No. 128, to the Committee on Judiciary.

Senate Bill No. 165, to the Committee on Judiciary.

Senate Bill No. 201, to the Committee on Common Carriers.

Senate Bill No. 250, to the Committee on Education.

TO GRANT JESS V. CREECH PERMISSION TO SUE THE STATE

Mr. Shannon offered the following resolution:

H. C. R. No. 42, To grant Jess V. Creech permission to sue the State.

Whereas, Jess V. Creech, a citizen of the State of Texas, and of Tarrant County, Texas, is the owner of prop-

erty known as lots 14, 15, and 16, in the J. N. Harris Addition, out of Joel Walker Survey, in Tarrant County, Texas, said property being on the north side of State Highway No. 10, also known as State Highway No. 121, also known generally as the Fort Worth-Grapevine Highway, which said property faces on said Highway for a distance of one hundred and eighty-nine (189) feet; and was the owner of such property in the years of 1930, 1931, and 1932; and

Whereas, In the summer of 1931 the said Jess V. Creech did grant to the State of Texas, through its Highway Department, an easement through his property, as above set forth, for construction of highway, under project No. 977-B; and

Whereas, At the time of the granting of said easement by the said Creech to the said Highway Department, it was definitely understood and agreed that the granting of said easement was based on the condition that said road would be constructed at a specified grade; and

Whereas, Said Highway Department did build, construct, and super-vise the building and construction of this new highway in front of his property, and did, without the consent, and under protest of, the said Creech, raise the grade level of this road approximately three (3) feet; and

Whereas, By the building and constructing of said Highway at this higher level, against the protest of said Creech, the natural flow of water has been changed, and the water falling after rains flows off of said road or highway and on to property of the said Jess V. Creech, and stands on his property for hours, and sometimes for days at a time, after heavy rains; and

Whereas, This is a triangular plot, and because of the higher grade level of the road constructed by the Highway Department, as above set forth, after each rain it is entirely submerged which makes it more of a swamp rather than the valuable piece of unimproved property it was before the roads were so constructed, and, therefore, is of practically no value; and

Whereas, Had the Highway Department carried out this agreement as originally entered into at the time of the granting of this easement, and the road had been built at the grade

then agreed on, the flow of water, after rainfalls, would have been drained off naturally, and caused no damage; and

Whereas, The said Jess V. Creech has never been compensated by the State of Texas for the damage done to his property, as above set forth, in the sum of \$3,500. Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said Jess V. Creech be, and he is hereby, granted permission to bring suit against the State of Texas in a court of competent jurisdiction in Tarrant County, Texas, in order to determine what compensation, if any, he is entitled to receive by reason of such damage, and that in case that such suit is filed, service of citation or any other necessary process may be had upon the State Highway Commission and the Attorney General of the State of Texas with the same force and effect as made and provided for in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT R. A. ROBINSON PERMISSION TO SUE THE STATE

Mr. Shannon offered the following resolution:

H. C. R. No. 43, To grant R. A. Robinson permission to sue the State.

Whereas, R. A. Robinson, a citizen of the State of Texas, and of Tarrant County, Texas, is the owner of property, known as approximately two (2) acres out of Joel Walker Survey, Tarrant County, Texas; said property being on the south side of said highway, and faces on the highway for a distance of five hundred and ninety-six (596) feet; said property being on State Highway No. 10, also known as State Highway No. 121, also known generally as Fort Worth-Grapevine Highway, and was the owner of such proper in the years 1930, 1931, and 1932; and,

Whereas, In the summer of 1931, the said R. A. Robinson did grant to the State of Texas, through its Highway Department, an easement through his property, as hereinbefore described and set forth, for construction of highway, under Project No. 977-B; and,

Whereas, At the time of the granting of said easement by the said Robinson to the said Highway Department, it was definitely understood and agreed that the granting of said easement was based on the conditions that said road would be constructed at a specified grade; and,

Whereas, Said Highway Department did build, construct, and supervise the building and construction of this new highway in front of his property, and did, without the consent, and over the protest of said Robinson, raise the grade level of this road approximately three (3) feet; and,

Whereas, By building and constructing said highway at this higher level, over the protest of said Robinson, the natural flow of water has been changed, and the water falling after rains flows off of said road or highway and onto the property of the said R. A. Robinson, and stands on his property for hours, and sometimes for days at a time, after heavy rains; and,

Whereas, After granting said easement, and with full confidence in the Highway Department's carrying out the conditions contained in the granting of said easement, the said R. A. Robinson did construct a brick house, the value of which has been greatly impaired because of the higher level at which the road was built throws the water on the property; and,

Whereas, Had the Highway Department carried out this agreement, as originally entered into at the time of the granting of this easement, and the road had been built at the grade then agreed on, the flow of water after rainfalls would have been drained off naturally, and caused no damage; and,

Whereas, The said R. A. Robinson has never been compensated by the State for the damages done to his property, as above set forth, which he states and which is in the sum of \$4,000; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said R. A. Robinson be, and he is hereby, granted permission to bring suit in a court of competent jurisdiction in Tarrant County, Texas, in order to determine what compensation, if any, he is entitled to receive by reason of such damage, and that in case such a suit is filed, service of citation or other necessary process

may be had upon the State Highway Commission and the Attorney General of the State of Texas, with the same force and effect as made and provided for in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT JOHN W. ALMOND, JR., PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 12, To grant John W. Almond, Jr., permission to sue the State.

Whereas, On or about the 13th day of September, 1932, John W. Almond, Jr., of Del Rio, Texas, was traveling west on United States Highway No. 90, between the town of Brackettville, Kinney County, Texas, and Del Rio, Val Verde County, Texas, and that, at a point known as Pinto Bridge, he had an accident with a truck used by the State Highway Department; and

Whereas, The car of said John W. Almond, Jr., was damaged in an approximate amount of two hundred and twenty-five dollars (\$225); and

Whereas, The said John W. Almond, Jr., has not been compensated by said State for the damages to his car; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That John W. Almond, Jr., be, and is hereby, granted permission to bring suit against the State of Texas, in a court of competent jurisdiction, in order to determine compensation for damages received, and that service of citation, or other necessary process, may be had upon the Highway Commission and the Attorney General with the same force and effect as in other civil cases.

The resolution was read second time, and was referred, by the Speaker, to Committee on State Affairs.

TO GRANT COL-TEX REFINING COMPANY PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 15, To grant Col-Tex Refining Company permission to sue the State.

Whereas, On or about February 1, A. D. 1929, the State Highway Commission of the State of Texas did construct a highway in Mitchell County, Texas, known as Highway No. 1; and

Whereas, During the construction of said Highway, the Highway Department did cause to be damaged a pipe line belonging to the Col-Tex Refining Company; and

Whereas, It was necessary, because of the construction of said Highway, for the Col-Tex Refining Company of Colorado, Mitchell County, Texas, to move their pipe line for a distance of several miles at great expense; and

Whereas, The said Col-Tex Refining Company has never been compensated for the damage done to their pipe line, and repaid for the cost of moving said pipe line. Now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the said Col-Tex Refining Company, its successors, and assigns, be, and are hereby, granted permission to bring suit against the State of Texas, in the District Court of Travis County, Texas, in order to determine what compensation, if any, the said Col-Tex Refining Company is entitled to receive by reason of such damages, and that the suit be filed within two years from the passage of this resolution, and that in case such suit is filed, service of citation or other necessary process be had upon the Attorney General of the State of Texas and the Chairman of the Highway Commission of the State of Texas, and that the same have the same force and effect as made and provided in civil cases, and that if any judgment is recovered thereon it shall be paid out of the funds of the State Highway Commission.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 4, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 416, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be, and he is hereby, authorized and empowered to declare financial moratoria for, and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State banks, National banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoria and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing for penalties for violations; and it is expressly provided that the provisions of this bill shall be in force and effect up to and including April 30, 1933, when it shall terminate, and declaring an emergency."

S. B. No. 418, A bill to be entitled "An Act to stay all sales under execution, order of sale, or under any deed of trust, mortgage, or other contract, giving or granting any power of sale of real, personal, or mixed property for debt, now advertised to be made, on March 7, 1933, for a period of four weeks from said date; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on March 7, 1933, shall be required for such sale on April 4, 1933, making void all sales in violation of this Act; extending the time for return, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 418, to the Committee on Judiciary.

Senate Bill No. 416, to the Committee on Banks and Banking.

TO GRANT MRS. RUTH SHANNON
PERMISSION TO SUE THE
STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 19, To grant Mrs. Ruth Shannon permission to sue the State.

Whereas, On or about October 26, 1931, Mr. V. D. Shannon, of Turkey, Texas, was an employe of the State Highway Department, and had been so employed for a period of approximately three years, and on the date above referred to, was working on State Highway No. 86, near Turkey, Texas; and

Whereas, While returning from work, and riding in a truck owned by the State Highway Department, and driven by a State Highway Department employe, the said V. D. Shannon was so seriously injured, on the date aforesaid, that he died from the effects thereof on November 9, 1931; and

Whereas, Mr. Shannon is survived by his wife, Mrs. Ruth Shannon, of Turkey, Texas, and one child that was only about two weeks old at the time of Mr. Shannon's death; and

Whereas, Mrs. Shannon is in destitute circumstances, and has been unable to pay the large sums of money required for medical, hospital, and burial expenses of her husband, nor to provide the necessities of life for herself and child; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said Mrs. Ruth Shannon, surviving wife of V. D. Shannon, for herself, and as next friend of said child, be, and she is hereby, granted permission to bring suit against the State of Texas, in a court of competent jurisdiction, in order to determine what compensation, if any, she and the surviving child of said Ruth and V. D. Shannon are entitled to receive by reason of the death of the husband and father, V. D. Shannon, from injuries received while an employe of the State Highway Department, and that in case such suit be filed, service of citation or other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as is made and provided in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT S. E. HARRIS PER-
MISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 22, To grant S. E. Harris permission to sue the State.

Whereas, On or about November 27, 1930, while Mr. S. E. Harris and family, of Borger, Texas, were traveling eastward, on a county road, near White Deer, were involved in an accident at the intersection of said county road with State Highway No. 88, said accident being alleged to have been caused by a drop-off of about twenty-four inches at the point where the county road came into Highway No. 88 from the west, which drop-off had been caused by some work that had been done by State Highway Department employes; and

Whereas, This allegedly dangerous condition being unknown to the said S. E. Harris, the sudden and unexpected drop caused him to lose control of his automobile, causing same to strike the embankment on the opposite side of the State Highway, resulting in serious injuries to Mr. and Mrs. S. E. Harris, including the loss of Mr. Harris' left eye, and severe and painful bruises and lacerations to both of them; and

Whereas, As a result of these injuries, it was necessary to incur large expenditures for medical and hospital attention for Mr. and Mrs. Harris; and

Whereas, Because of the loss of his eye, Mr. Harris is unable to follow his trade, which is that of welder, and is seriously handicapped in earning a livelihood; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said S. E. Harris, be, and he is hereby, granted permission to bring suit against the State of Texas, in a court of competent jurisdiction, in order to determine what compensation, if any, he is entitled to receive by reason of the injuries to himself and wife, and that in case such suit be filed, service of citation or other necessary process may be had upon the Highway Commission

and the Attorney General with the same force and effect as is made and provided in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT O. B. BATEMAN PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 23, To grant O. P. Bateman permission to sue the State.

Whereas, On or about October 20, 1931, O. P. Bateman, of Cooke County, Texas, was seriously injured while in the employ of the State Highway Department of Texas, and while engaged in work on State Highway No. 40, about one mile west of the City of Gainesville, Texas; and

Whereas, The State of Texas, through its Highway Department, is not permitted, under the Constitution and laws of this State, to pay the said O. P. Bateman his damages for said injuries; and

Whereas, The said O. P. Bateman desires to bring suit against the State of Texas to recover such damages; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said O. P. Bateman be, and he is hereby, granted permission to bring suit against the State of Texas and or against the State Highway Department of Texas, in a court of competent jurisdiction, in order to determine the compensation, if any, he is entitled to recover by reason of his said injuries; and be it further

Resolved, That service of citation, or other necessary process, may be had upon the Highway Commission and the Attorney General with the same force and effect as in civil cases.

The crowded condition of the calendar, and the importance of the subject matter of the resolution hereinabove set forth, creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule, requiring bills to be read on three separate days in each House, and the said rule is hereby suspended, and this resolution take effect and be in force from and after its passage, and it is so enacted.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

ENDORISING RICHARD M. KLEBERG FOR CERTAIN POSITION

Mr. Jefferson offered the following resolution:

Whereas, On March 4, 1933, there will be held the inaugural ceremonies which will induct into office as President of the United States, the Hon. Franklin D. Roosevelt and the Hon. John N. Garner as Vice-President; and

Whereas, In making appointment to the different positions it is vitally important that those to be appointed be fully and ably qualified to discharge the duties of the offices to which they are appointed; and

Whereas, The people of Texas are more than anxious to have appointed, as Ambassador to Mexico, a man in whom they have the utmost faith and confidence, and one whom they know will continue the present existing friendly relations with our sister republic across the border; and

Whereas, The Hon. Richard M. Kleberg, now serving as Congressman from the Fourteenth Congressional District of Texas, and whom the people of South and Southwest Texas know to be a man of sterling qualities, and well able to discharge the duties as Ambassador to Mexico, due to his extensive and cordial relations with the leaders and customs of that country, through his having visited there so often, and having worked closely and harmoniously with people of that nationality, as owner of a large ranch located in South Texas; and

Whereas, This important position should be held by a man of his ability and character; therefore, be it

Resolved by the Members of the House of Representatives of the Forty-third Legislature, That they heartily endorse the Hon. Richard M. Kleberg to his Excellency, President Franklin D. Roosevelt, for appointment to this all-important position, and that it do so by forwarding a copy of this resolution to Washington, so that proper recognizance may be taken of it; and be it further

Resolved, That a copy be sent to the Hon. Richard M. Kleberg, acquainting him with the fact that the Members of the House of Representa-

tives of the Forty-third Legislature are requesting him to accept this position if it is offered to him.

Signed—Jefferson, Reader, Anderson of Bexar, Kayton, Pope, Dunlap, Barrett, Rollins, Lemens, Hoskins, Engelhard, Hankamer, Camp, Hartzog, Harrison, Johnson of Anderson, Devall, Dwyer, Tillery, Holekamp, Nicholson, Stanfield, Mitcham, Bourne, Walker, Hill of Webb, Clayton, Glass, Young, Turlington, Kyle of Hays, Head, Ford, Scarborough, Holland, Laird, Butler, Beck, Morrison, Metcalfe, Calvert, McGregor, McClain, Bedford, Canon, Hodges, Alexander, Moffett, Harris, Sullivan, Wood, McKee, Hunt, Pavlica, Latham, Van Zandt, McCullough, Hyder, Lotief, Huddleston, Fisher, Good, Russell, Tennyson, Dunagan, Wells, Moore, Leonard, Renfro, Ray, Dean, Goodman, James, Davidson, Smith, Aikin, Reed of Dallas, Steward, Morse, Parkhouse, McDougald, Burns, Fain, Anderson of Johnson, Alsup, Coombes, Barron, Townsend, Chastain, Mathis, Rogers of Hunt, Mackay, Patterson, Colson, Winningham, Vaughan, Cowley, Kyle of Palo Pinto, Hicks, Bradley, Savage, Baker, Golson, Duvall.

The resolution was read second time, and was adopted unanimously.

BILL ORDERED NOT PRINTED

On motion of Mrs. Hughes, by unanimous consent of the House, Senate Bill No. 418 was ordered not printed.

SENATE BILL NO. 418 ON SECOND READING

On motion of Mrs. Hughes the Twenty-four-hour House Rule, relative to printed bills, was suspended for the purpose of considering Senate Bill No. 418, at this time.

On motion of Mr. Reed of Dallas, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading Senate Bill No. 418.

Mrs. Hughes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 418 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99

Adamson.	Kyle of Palo Pinto.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Lemens.
Anderson	Leonard.
of Johnson.	Long.
Baker.	Lotief.
Barrett.	Magee.
Barron.	McClain.
Beck.	McCullough.
Bourne.	McGregor.
Butler.	Metcalfe.
Calvert.	Mitcham.
Camp.	Moore.
Canon.	Morse.
Cowley.	Nicholson.
Crossley.	Parkhouse.
Daniel.	Patterson.
Dean.	Ratliff.
Devall.	Ray.
Dunlap.	Reader.
Dunagan.	Reed of Bowie.
Fain.	Reed of Dallas.
Fisher.	Renfro.
Glass.	Riddle.
Good.	Roberts.
Goodman.	Rogers
Graves.	of Ochiltree.
Greathouse.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harris.	Savage.
Harrison.	Scarborough.
Head.	Shannon.
Hicks.	Shults.
Hill of Webb.	Smith.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stovall.
Hughes.	Tarwater.
Hunt.	Thomas.
Hyder.	Townsend.
James.	Turlington.
Jefferson.	Wagstaff.
Johnson	Walker.
of Anderson.	Weinert.
Jones of Atascosa.	Wells.
Jones of Shelby.	Winningham.
Kayton.	Wood.
Kyle of Hays.	Young.

Nays—3

Lindsey.	Vaughan.
Puryear.	

Absent

Anderson	Chastain.
of Bexar.	Clayton.
Bedford.	Colson.
Burns.	Davidson.
Cathey.	Duvall.

Dwyer.	Mathis.
Engelhard.	McDougald.
Few.	McKee.
Fuchs.	Moffett.
Golson.	Morrison.
Griffith.	Palmer.
Harman.	Ramsey.
Hartzog.	Scott.
Hill of Brazoria.	Sullivant.
Holloway.	Tennyson.
Huddleston.	Van Zandt.
Jones of Runnels.	West.
Mackay.	

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 418, A bill to be entitled "An Act to stay all sales under execution, order of sale, or under any deed of trust, mortgage, or other contract, giving or granting any power of sale of real, personal, or mixed property for debt now advertised to be made on March 7, 1933, for a period of four weeks from said date, providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on March 7, 1933, shall be required for such sale on April 4, 1933, making void all sales in violation of this act; extending the time for return, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 418 ON THIRD READING

The Speaker then laid Senate Bill No. 418 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110

Adamson.	Barron.
Aikin.	Beck.
Alexander.	Bedford.
Alsup.	Bourne.
Anderson of Johnson.	Burns.
Baker.	Butler.
Barrett.	Calvert.
	Camp.

Canon.	McClain.
Cathey.	McCullough.
Chastain.	McDougald.
Colson.	McGregor.
Cowley.	Metcalfe.
Crossley.	Mitcham.
Daniel.	Moore.
Davidson.	Morrison.
Dean.	Morse.
Devall.	Nicholson.
Dunlap.	Palmer.
Dunagan.	Parkhouse.
Fain.	Patterson.
Fisher.	Purveyer.
Glass.	Ratliff.
Good.	Ray.
Goodman.	Reader.
Graves.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Haag.	Renfro.
Hankamer.	Riddle.
Harman.	Roberts.
Harris.	Rogers of Ochiltree.
Head.	Rollins.
Hicks.	Ross.
Hill of Webb.	Russell.
Hodges.	Savage.
Holekamp.	Scarborough.
Holland.	Scott.
Hoskins.	Shannon.
Huddleston.	Shults.
Hughes.	Smith.
James.	Stanfield.
Jefferson.	Stinson.
Johnson of Anderson.	Stovall.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Tennyson.
Kayton.	Thomas.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Laird.	Wagstaff.
Latham.	Walker.
Lemens.	Weinert.
Leonard.	Wells.
Lindsey.	Winningham.
Long.	Wood.
Lotief.	Young.
Magee.	

Nays—2

Steward.	Vaughan.
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Absent

Anderson of Bexar.	Holloway.
Clayton.	Hunt.
Duvall.	Hyder.
Dwyer.	Jones of Shelby.
Engelhard.	Mackay.
Few.	Mathis.
Fuchs.	McKee.
Golson.	Moffett.
Griffith.	Ramsey.
Harrison.	Sullivant.
Hartzog.	Van Zandt.
Hill of Brazoria.	West.

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

BILL ORDERED NOT PRINTED

On motion of Mr. Patterson, by unanimous consent, Senate Bill No. 416 was ordered not printed.

SENATE BILL NO. 416 ON SECOND READING

Mr. Patterson moved that the Twenty-four-hour Rule, relative to printed bills, be suspended for the purpose of considering Senate Bill No. 416, at this time.

The motion prevailed.

On motion of Mr. Patterson, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading, Senate Bill No. 416.

Mr. Patterson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 416 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adamson.	Dean.
Aikin.	Devall.
Alexander.	Dunlap.
Alsup.	Dunagan.
Anderson	Fain.
of Johnson.	Fisher.
Baker.	Glass.
Barrett.	Golson.
Barron.	Good.
Beck.	Graves.
Bedford.	Greathouse.
Burns.	Haag.
Butler.	Hankamer.
Calvert.	Harman.
Camp.	Harris.
Canon.	Harrison.
Cathey.	Head.
Chastain.	Hicks.
Colson.	Hill of Webb.
Cowley.	Hodges.
Crossley.	Holekamp.
Daniel.	Holland.
Davidson.	Hoskins.

Huddleston.	Ray.
Hughes.	Reader.
Hunt.	Reed of Bowie.
Hyder.	Reed of Dallas.
James.	Renfro.
Johnson	Riddle.
of Anderson.	Roberts.
Jones of Runnels.	Rogers
Kayton.	of Ochiltree.
Kyle of Hays.	Rollins.
Kyle of Palo Pinto.	Ross.
Laird.	Russell.
Latham.	Savage.
Lemens.	Scarborough.
Leonard.	Scott.
Lindsey.	Shannon.
Long.	Shults.
Lotief.	Smith.
Magee.	Stanfield.
McClain.	Steward.
McCullough.	Stinson.
McGregor.	Stovall.
Metcalfe.	Tarwater.
Mitcham.	Thomas.
Moffett.	Townsend.
Moore.	Turlington.
Morrison.	Wagstaff.
Morse.	Walker.
Nicholson.	Weinert.
Palmer.	Wells.
Parkhouse.	Winningham.
Patterson.	Wood.
Purveyer.	Young.
Ratliff.	

Nays—4

Jefferson.	Tennyson.
McDougald.	Vaughan.

Absent

Anderson	Hill of Brazoria.
of Bexar.	Holloway.
Bourne.	Jones of Atascosa.
Clayton.	Jones of Shelby.
Duvall.	Mackay.
Dwyer.	Mathis.
Engelhard.	McKee.
Few.	Ramsey.
Fuchs.	Sullivan.
Goodman.	Van Zandt.
Griffith.	West.
Hartzog.	

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 416, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be, and he is hereby, authorized and empowered to declare financial moratoria for, and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State of, deposits from all State banks, National banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoria and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing for penalties for violations; and declaring an emergency."

The bill was read second time.

Mr. Patterson offered the following amendment to the bill:

Amend Senate Bill No. 416, by striking out Section 2-a, of said bill, and amend caption to conform therewith.

PATTERSON,
KAYTON.

Mr. McDougald moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost, by the following vote:

Yeas—54

Adamson.	Hicks.
Aikin.	Hill of Brazoria.
Barron.	Hoskins.
Beck.	Huddleston.
Bedford.	Hunt.
Bourne.	Jefferson.
Burns.	Johnson
Calvert.	of Anderson.
Camp.	Kyle of Palo Pinto.
Cathey.	Laird.
Colson.	Latham.
Cowley.	Lemens.
Daniel.	Leonard.
Davidson.	McDougald.
Devall.	Metcalf.
Dunagan.	Moffett.
Fain.	Reed of Bowie.
Fisher.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Greathouse.	Russell.
Hankamer.	Scarborough.
Harman.	Scott.
Harris.	Shults.
Hartzog.	Steward.

Sullivant.
Van Zandt.
Vaughan.

Winningham.
Wood.
Young.

Nays—65

Alexander.	McClain.
Alsup.	McGregor.
Anderson	Mitcham.
of Bexar.	Moore.
Anderson	Morrison.
of Johnson.	Morse.
Baker.	Nicholson.
Barrett.	Parkhouse.
Butler.	Patterson.
Canon.	Puryear.
Chastain.	Ratliff.
Crossley.	Ray.
Dean.	Reader.
Dunlap.	Reed of Dallas.
Glass.	Renfro.
Goodman.	Riddle.
Haag.	Roberts.
Harrison.	Ross.
Head.	Savage.
Hill of Webb.	Shannon.
Hodges.	Smith.
Holekamp.	Stanfield.
Holland.	Stinson.
Hughes.	Stovall.
Hyder.	Tarwater.
James.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Townsend.
Jones of Shelby.	Turlington.
Kayton.	Wagstaff.
Kyle of Hays.	Walker.
Lindsey.	Weinert.
Long.	Wells.
Lotief.	

Present—Not Voting

Magee.

Absent

Clayton.	Holloway.
Duvall.	Mackay.
Dwyer.	Mathis.
Engelhard.	McCullough.
Few.	McKee.
Fuchs.	Palmer.
Graves.	Ramsey.
Griffith.	West.

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

Question then recurring on the amendment, it was adopted by the following vote:

Yeas—72

Alexander.	Long.
Alsup.	Lotief.
Anderson	Magee.
of Bexar.	McClain.
Anderson	McGregor.
of Johnson.	Mitcham.
Barrett.	Moffett.
Butler.	Moore.
Chastain.	Morse.
Colson.	Nicholson.
Crossley.	Palmer.
Dean.	Parkhouse.
Devall.	Patterson.
Dunlap.	Puryear.
Engelhard.	Ratliff.
Fisher.	Ray.
Glass.	Reader.
Goodman.	Reed of Dallas.
Haag.	Renfro.
Harrison.	Riddle.
Head.	Roberts.
Hill of Brazoria.	Ross.
Hill of Webb.	Savage.
Hodges.	Shannon.
Holekamp.	Smith.
Holland.	Stanfield.
Hughes.	Stinson.
Hyder.	Stovall.
James.	Tarwater.
Jefferson.	Tennyson.
Johnson	Thomas.
of Anderson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Weinert.
Kyle of Hays.	Wells.
Lindsey.	

Nays—50

Adamson.	Hoskins.
Aikin.	Huddleston.
Baker.	Hunt.
Barron.	Kyle of Palo Pinto.
Beck.	Laird.
Bedford.	Latham.
Bourne.	Lemens.
Burns.	Leonard.
Calvert.	McDougald.
Camp.	Metcalf.
Canon.	Morrison.
Cathey.	Reed of Bowie.
Cowley.	Rogers of Ochiltree.
Daniel.	Rollins.
Davidson.	Russell.
Dunagan.	Scarborough.
Fain.	Scott.
Golson.	Shults.
Good.	Steward.
Greathouse.	Sullivant.
Hankamer.	Van Zandt.
Harman.	Vaughan.
Harris.	Winningham.
Hartzog.	Wood.
Hicks.	Young.

Absent

Clayton.	Holloway.
Duvall.	Mackay.
Dwyer.	Mathis.
Few.	McCullough.
Fuchs.	McKee.
Graves.	Ramsey.
Griffith.	West.

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

Mr. Jefferson offered the following amendment to the bill:

Amend Senate Bill No. 416, by adding the following: "and in addition, thereto, the sum of \$10,000 shall be appropriated for the purpose of purchasing a golden crown, properly set with jewels, and a coat of ermine, that our Banking Commissioner may be properly attired, in a manner befitting his dignity and position."

JEFFERSON,
HARTZOG,
SCARBOROUGH.

Mr. Anderson of Bexar raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Morse moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate Bill No. 416 was then passed to third reading.

SENATE BILL NO. 416 ON THIRD READING

The Speaker then laid Senate Bill No. 416 before the House on its third reading and final passage.

The bill was read third time.

Mr. Morse moved the previous question on the passage of the bill, and the main question was ordered.

Question recurring on the passage of the bill, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 100; nays, 25.

Mr. Moore called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote announced, as follows:

Yeas—97

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Latham.
Anderson	Leonard.
of Johnson.	Lindsey.
Barrett.	Long.
Bourne.	Lotief.
Burns.	Magee.
Butler.	McClain.
Camp.	McCullough.
Canon.	McGregor.
Cathey.	Metcalf.
Chastain.	Mitcham.
Colson.	Moffett.
Crossley.	Moore.
Dean.	Morrison.
Devall.	Morse.
Dunlap.	Nicholson.
Dunagan.	Palmer.
Engelhard.	Parkhouse.
Fain.	Patterson.
Fisher.	Puryear.
Glass.	Ratliff.
Golson.	Ray.
Good.	Reader.
Goodman.	Reed of Dallas.
Greathouse.	Renfro.
Haag.	Riddle.
Hankamer.	Roberts.
Harman.	Ross.
Harris.	Savage.
Harrison.	Scarborough.
Head.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hill of Webb.	Smith.
Hodges.	Stanfield.
Holekamp.	Stinson.
Holland.	Stovall.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hyder.	Thomas.
James.	Townsend.
Johnson	Turlington.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Wells.
Kayton.	

Nays—25

Baker.	Daniel.
Barron.	Davidson.
Beck.	Hartzog.
Bedford.	Hoskins.
Calvert.	Hunt.
Cowley.	Jefferson.

Lemens.	Steward.
McDougald.	Sullivant.
Reed of Bowie.	Van Zandt.
Rogers	Vaughan.
of Ochiltree.	Winningham.
Rollins.	Wood.
Russell.	Young.

Absent

Anderson	Griffith.
of Bexar.	Holloway.
Clayton.	Mackay.
Duvall.	Mathis.
Dwyer.	McKee.
Few.	Ramsey.
Fuchs.	West.
Graves.	

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dmmit.	

REASONS FOR VOTES

I vote "no" on Senate Bill No. 416, for the reason the House struck from the bill the clause providing the Act should be operative for a period of sixty days only. If, at the end of sixty days, there still existed an emergency, the Legislature would still be in session and could extend the Act. I would vote to try the Act for sixty days, but do not think it wise to place such discretionary powers in the hands of the Banking Commissioner for an indefinite period of time.

McDOUGALD.

I vote "no" on the final passage of this bill, for the sole purpose of placing the bill in a conference committee, in the hope that the bill, as finally passed, will contain a limitation as to time.

BARRON.

In explanation of my vote for Senate Bill No. 416, in final passage, I wish to state that heretofore I have voted to sustain the sixty-day limit, as my county directed. I am now voting for final passage of the bill without the time limit in order that the law may go into immediate effect.

WOOD.

Mr. McGregor moved to reconsider the vote by which Senate Bill No. 416 was passed.

Mr. Butler moved a call of the House, for the purpose of maintaining a quorum, pending consideration of Senate Bill No. 416, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Reader, the Sergeant-at-Arms was instructed to bring in all absent Members.

Question recurring on the motion by Mr. McGregor, to reconsider the vote by which Senate Bill No. 416 was passed, it prevailed.

Senate Bill No. 416 was then passed by the following vote:

Yeas—115

Adamson.	Harman.
Aikin.	Harris.
Alexander.	Harrison.
Alsup.	Head.
Anderson	Hicks.
of Bexar.	Hill of Webb.
Anderson	Hodges.
of Johnson.	Holekamp.
Barrett.	Holland.
Beck.	Holloway.
Bedford.	Hoskins.
Bourne.	Huddleston.
Burns.	Hughes.
Butler.	Hunt.
Calvert.	Hyder.
Camp.	James.
Canon.	Johnson
Cathey.	of Anderson.
Chastain.	Jones of Atascosa.
Colson.	Jones of Runnels.
Cowley.	Jones of Shelby.
Crossley.	Kayton.
Daniel.	Kyle of Hays.
Dean.	Laird.
Devall.	Latham.
Dunlap.	Lemens.
Dunagan.	Leonard.
Engelhard.	Lindsey.
Fain.	Long.
Fisher.	Lotief.
Glass.	Magee.
Golson.	McClain.
Good.	McCullough.
Goodman.	McDougald.
Greathouse.	McGregor.
Haag.	Metcalfe.
Hankamer.	Mitcham.

Moffett.	Scott.
Moore.	Shannon.
Morrison.	Shults.
Morse.	Smith.
Nicholson.	Stanfield.
Palmer.	Steward.
Parkhouse.	Stinson.
Patterson.	Stovall.
Puryear.	Sullivant.
Ratliff.	Tarwater.
Ray.	Tennyson.
Reader.	Thomas.
Reed of Dallas.	Townsend.
Renfro.	Turlington.
Riddle.	Van Zandt.
Roberts.	Wagstaff.
Rogers	Walker.
of Ochiltree.	Weinert.
Rollins.	Wells.
Ross.	Winningham.
Russell.	Wood.
Savage.	Young.
Scarborough.	

Nays—6

Baker.	Jefferson.
Davidson.	Reed of Bowie.
Hartzog.	Vaughan.

Absent

Barron.	Hill of Brazoria.
Clayton.	Kyle of Palo Pinto.
Duvall.	Mackay.
Dwyer.	Mathis.
Few.	McKee.
Fuchs.	Ramsey.
Graves.	West.
Griffith.	

Absent—Excused

Bradley.	Merritt.
Caven.	Munson.
Coombes.	Pavlica.
Ford.	Pope.
Hester.	Rogers of Hunt.
Jackson.	Tillery.
Johnson	
of Dimmit.	

Mr. Patterson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTES

I vote "yea" on Senate Bill No. 416; it is very dangerous, but not wishing to hinder or prevent the immediate effect and force of the bill, I vote "yea" to test it out.

FISHER.

I have voted against Senate Bill No. 416, as stated in House Journal,

but if there is any imperative need for such a measure, it should have 100 votes in order that it might go into immediate effect. In order that the bill have immediate effect, I vote "yea" on final passage.

McDOUGALD.

I vote "aye," on Senate Bill No. 416, on final passage, for the reason that it is perfectly evident from the previous votes that the House intends to pass the bill, and if such be the case, it should be put into immediate effect in order for the machinery set up by the bill to have a chance to succeed.

I agree with the bill in principle, but feel that it is a serious mistake to pass it in its present form. Limitation of the term of the bill should have been included in the measure.

LEMENS.

The reason I changed my vote on Senate Bill No. 416 was to help make the vote unanimous, as I saw I was beaten, but I still think that the principle that I was voting for holds good for all time to come.

ROLLINS.

I was for the bill, but opposed to unlimited dictatorship. I finally yielded to the will of the majority because of the emergency that existed, but still believing that I was right.

YOUNG.

My opposition to this measure, without any definite expiration date, remains. I look upon it as just another "shot in the arm," and do not wish to admit that we are willing to become habitual dope fiends.

But as it appears that to further contend for limitation at this time will only delay the immediate effect, I have cast my vote in order to make it effective at once.

I confidently expect that before the Legislature adjourns the doctors will have changed their prescription again, and we will have an opportunity to try to get some definite expiration date on this dictatorship.

I think that if we had provided a time limit on some of the previous nostrums like "stabilization," "Reconstruction Finance Corporation," "market demand," etc., it would have been better.

ROGERS of Ochiltree.

I voted "no" on the final passage of this bill for the purpose of placing the bill in the conference committee, as I favored a limitation as to time.

REED of Bowie.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 418, "An Act to stay all sales under execution, order of sale, or under any deed of trust, mortgage, or other contract, giving or granting any power of sale of real, personal, or mixed property for debt, now advertised to be made, on March 7, 1933, for a period of four weeks from said date; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on March 7, 1933, shall be required for such sale on April 4, 1933, making void all sales in violation of this Act; extending time for return, and declaring an emergency."

On motion of Mr. Van Zandt, the House, at 5:05 o'clock p. m., agreed to stand at ease until 7 o'clock p. m., today.

The House reconvened at 7 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 4, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 416, by the following vote: Yeas, 25; nays, 2.

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 416, "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be, and he is hereby, authorized and empowered to declare financial moratoria for, and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State of, deposits from all State banks, National banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoria and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing for penalties for violations; and declaring an emergency."

ADJOURNMENT

On motion of Mr. Aikin, the House, at 8:05 o'clock p. m., adjourned until 10 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Banks and Banking: Senate Bills Nos. 341 and 416.

Judiciary: Senate Bill No. 418.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, March 4, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 773, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be, and he is hereby, authorized and empowered to declare financial moratoria for, and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State banks, National banks, State banks and trust

companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoria and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing penalties for violations; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, March 3, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 60, "An Act to amend Chapter 6, House Bill No. 26, of the Acts of the Third Called Session of the Forty-second Legislature, relating to the taking of fur-bearing animals in certain counties, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, March 3, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 41, In memory of Hon. Thomas J. Walsh,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, March 3, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 595, "An Act to regulate fishing in Caddo Lake; repealing laws or parts of laws in conflict; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.